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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.    | CONFIRMATION NO. |
|-----------------|-------------|----------------------|------------------------|------------------|
| 09/689,430      | 10/12/2000  | Christopher E. Walsh | 35052/204373 (S052-53) | 7095             |

. 826                      7590                      03/10/2003

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EXAMINER

LI, QIAN J

ART UNIT                      PAPER NUMBER

1632

DATE MAILED: 03/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

|                          |                                      |                                     |  |
|--------------------------|--------------------------------------|-------------------------------------|--|
| <b>Interview Summary</b> | <b>Application No.</b><br>09/689,430 | <b>Applicant(s)</b><br>WALSH ET AL. |  |
|                          | <b>Examiner</b><br>Q. Janice Li      | <b>Art Unit</b><br>1632             |  |

All participants (applicant, applicant's representative, PTO personnel):

- (1) Q. Janice Li, PTO. (3) Murray Spruill, Kathryn Coulter, Appl. Rep..  
 (2) Anne marie Wehbe, PTO. (4) Kim Clary, Scientist at Gene targeting Inc..

Date of Interview: 01 March 0703 .

Type: a) ☒ Telephonic b) ☐ Video Conference  
 c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☒ Yes e) ☐ No.  
 If Yes, brief description: draft for amendments and response .

Claim(s) discussed: 1-20 and 58-90 .

Identification of prior art discussed: Dwarki, Pittman, Griatenko .


Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet .

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

  
 Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: The rejection under 112, 1st paragraph may be withdrawn in view of the claim amendments and the evidence provided in the specification and IDS. With regards to rejection under section 103, applicants indicated that the amended claims are limited to an rAAV vector consisting of the AAV ITR promoter, and using the AAV ITR promoter is a surprise finding, because factor VIII is considered a peptide difficult to be expressed at high level and AAV ITR is a weak promoter. The Examiners indicated that claims as written do not require the levels of expression, thus, the rejection stands.